

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Donte Lamarkus Alston

Docket No. 5:07-CR-119-1BO
5:10-CR-378-1BO

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Donte Lamarkus Alston, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on November 15, 2007, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months. On April 20, 2011, the defendant appeared before Your Honor for Escape, 18 U.S.C. §§ 751(a) and 4082(a). He was sentenced to the custody of the Bureau of Prisons for a term of 14 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Donte Lamarkus Alston was released from custody on March 23, 2012, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Alston was charged with Driving While Licensed Revoked and Speeding on August 22, 2012, in Wake County, North Carolina. The court was notified of similar conduct on June 7, 2012. The defendant has continued to make poor decisions by operating a motor vehicle in North Carolina while not properly licensed. As a result, a term of home detention, not to exceed 90 days, is recommended as a sanction for the above-noted noncompliance. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy
Maurice J. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8678
Executed On: September 5, 2012

ORDER OF COURT

Considered and ordered this 5 day of September, 2012, and ordered filed and made a part of the records in the above case.

Terrence Boyle
Terrence W. Boyle
U.S. District Judge